

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 15, 2015 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Jeannie F. Simmonds conducting.

Councilmembers present at the beginning of the meeting: Chairman Jeannie F. Simmonds, Vice Chairman Herm Olsen, Councilmember Karl B. Ward, Councilmember Holly H. Daines and Councilmember S. Eugene Needham. Administration present: Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Mayor H. Craig Petersen.

Chairman Simmonds welcomed those present. There were approximately 33 citizens in the audience at the beginning of the meeting.

OPENING CEREMONY:

Roger Jones, Executive Director, Bear River Association of Governments (BRAG) gave the opening thought/prayer and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from September 1, 2015 were reviewed and approved with minor changes.

ACTION. Motion by Councilmember Ward seconded by Councilmember Daines to **approve the September 1, 2015 minutes as amended and approved tonight's agenda.** Motion carried unanimously.

Meeting Agenda. Chairman Simmonds announced there would be six public hearings at tonight's Council meeting.

Meeting Schedule. Chairman Simmonds announced that regular Council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, October 6, 2015.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Bill Bower addressed the Council regarding areas of Logan City which he feels are not pedestrian friendly and he feels there is still a problem with cars not watching for pedestrians. He is also upset about the recent Tour of Utah because he was not able to get out of his home and visitors could not get to him. He feels this was poor planning on behalf of the City.

48 **MAYOR/STAFF REPORTS:**

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50 **Recognitions: Community Emergency Response Teams (CERT) – Will Lusk,**
51 **Assistant Fire Chief**

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53 Assistant Chief Will Lusk addressed the Council regarding the Community Emergency
54 Response Team (CERT) program and recognized the following citizens who have served
55 in the CERT Program as well as the many hours of disaster response they have performed
56 for the community:

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58 Keith Schnare – Logan City CERT Program Coordinator

59 Russ Leikis – Adams Neighborhood Council

60 Lynn Wright – Hillcrest Neighborhood Council

61 Laurie Littledike – Wilson Neighborhood Council

62 Lucille Hadfield – Wilson Neighborhood Council

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64 **COUNCIL BUSINESS:**

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66 **Discussion: General Plan Chapter 12 (Transportation) – Chairman Simmonds**

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68 Chairman Jeannie Simmonds addressed the Council regarding Chapter 12 of the General
69 Plan- Transportation. She is impressed by the fact that in 2008 the Transportation Plan
70 was developed and several objectives have been accomplished.

71
72 Councilmember Ward said one of the keys in moving traffic through our community is
73 the grid system which we have established and allows movement between neighborhoods
74 and any new development follows this same grid system.

75
76 Councilmember Daines asked about one-way couplets and are they still part of the grid
77 system.

78
79 Public Works Director Mark Nielsen responded yes, they are part of the grid system.

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81 Vice Chairman Olsen said UDOT has jurisdiction over Main Street and Hwy 89/91 and
82 their primary charge and goal is to move traffic fast and efficiently. On one level that is
83 appreciated and on the other there are problems with cyclists, pedestrians and sometimes
84 crossing Main Street can be dangerous. It is important that we address the goals of the
85 Master Plan and he wishes there were easier solutions.

86
87 Chairman Simmonds agreed and feels we need to work with UDOT to enhance certain
88 intersections along Main Street and solve some of the issues. She asked Public Works
89 Director Mark Nielsen about the Western Bypass and asked does the bypass have any
90 impact on Main Street traffic.

91
92 Mr. Nielsen responded that 10th West is not the anticipated bypass. The bypass was a
93 limited access at 1600 West or further West. He feels that 10th West is acting as a bypass
94 and people are using this road.

Councilmember Daines suggested at the October 6, 2015 Council meeting there could be more discussion the Transportation Master Plan which provides a lot more detail in particular the Capital Facilities Plan.

Councilmember Ward agreed and said he continues to get comments about the intersection at 200 West 1000 North and he feels further discussion about these types of projects would be helpful.

Councilmember Needham said he is pleased with the transit system that we have now and feels it's helpful to those living in Logan City and in the County.

Chairman Simmonds asked the Council to be prepared to review and discuss the Transportation Master Plan at the October 6 Council meeting.

Joint City/County Council Meeting – Chairman Simmonds

Chairman Simmonds announced that a Joint City/County Council meeting will be held on Tuesday, September 29, 2015 beginning at 5:30 p.m. in the Cache County Administration Building, 179 North Main, Logan.

ACTION ITEMS:

Consideration of a proposed resolution approving the Tri-County Disaster Mitigation Plan – Resolution 15-51 – Will Lusk, Assistant Chief-Logan Fire Department and Zack Covington, Bear River Association of Governments (BRAG)

Logan City Assistant Chief Will Lusk along with Zack Covington from the Bear River Association of Governments addressed the Council regarding the Tri-County Disaster Mitigation Plan.

Mr. Covington stated the Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Logan from the impacts of future hazards and disasters.

ACTION. Motion by Councilmember Ward seconded by Councilmember Daines to **approve Resolution 15-51** as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution approving the Program Year 2014 Consolidated Annual Performance and Evaluation Report (CAPER) in accordance with the entitlement community requirements of the U.S. Department of Housing and Urban Development (HUD) for the receipt of Community Development Block Grant (CDBG) Funds – Resolution 15-48

At the September 1, 2015 Council meeting, CDBG Coordinator Aaron Smith addressed the Council regarding the proposed resolution. He stated that a total of eight non-planning and administrative activities were funded for PY2014 at a total amount of \$370,603.

- Boiler at the Whittier Community Center
- New van for the Cache Food Pantry
- Computer Kiosks to support a client based software system for the Child and Family Support Center
- Expansion of the Citizen Assist Program and Neighborhood Improvement Initiative of the Cache Valley Volunteer Center
- Neighborhood Infrastructure in service areas. Installation of sidewalk, curb, gutter and landscaping along 700 South and 350 Wes.
- 500 North Pedestrian lighting
- 200 South Sidewalk
- The Low-Water Demonstration Garden
- Bike-Pedestrian Master Plan
- 400 North Corridor Plan
- PY2013 – Neighborhood Infrastructure – Installation of sidewalk, ADA corner, and other pedestrian infrastructure in the areas of 1300 North 400 East, 500 South 500 West, 400 South 600 West and Golf Course Road.
- PY2013 – Neighborhood Block Improvement Program – Funding used to sponsor neighborhood cleanups in areas of the City.
- PY2010 Bluebird Restaurant Expansion – The majority of this project was finished in PY2013, but administrative requirements continued to 2014.

Money returned to the CDBG program from the Veterans Housing, Neighborhood Housing Corporation in the amount of \$80,000. These funds were reallocated to the 200 South sidewalk project.

Mr. Smith added that PY2014 was also the first year of a new Consolidated Plan. The plan's goals are to invest in neighborhood infrastructure in low, moderate income areas and provide support for organizations that provide services to low, moderate income residents. Both of these goals were furthered during PY2014 by the construction of pedestrian infrastructure and support given to multiple low, moderate income service providers in the community.

Chairman Simmonds opened the meeting to a public hearing.

There were no comments and Chairman Simmonds closed the public hearing.

ACTION. Motion by Councilmember Daines seconded by Vice Chairman Olsen to **approve Resolution 15-48** as presented. Motion carried unanimously.

(Continued from the September 1, 2015 Council Meeting) – Consideration of a proposed resolution establishing a Debt Management Policy – Resolution 15-39

At the September 1, 2015 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed resolution. He said the City of Logan operates several governmental and business-type funds for the benefit of the citizens of Logan. He said at times it is appropriate to borrow funds for the completion of

significant capital projects and Mr. Anderson proposed the following Debt Management Policy.

1. Long-term debt is a means of funding significant capital projects.
2. Long-term debt should be managed at or below the moderate level, and below State imposed limitations.
3. Financing of long-term debt should be straight forward and simple to understand. Overly complex funding arrangements, interest calculations, or relationships should be scrutinized carefully or avoided.
4. Before planning to obtain additional debt, revenue sources for repayment must be identified and validated.
5. The City's bond rating and existing debt must be considered with any subsequent funding arrangements.
6. Preserving debt capacity for future, unforeseen contingencies should always be considered with all new funding arrangements.

Councilmember Ward said he met with Finance Director Richard Anderson regarding his concerns from the last Council meeting and the following was added to the Policy.

The City's debt management philosophy is to conservatively approach and manage debt capacity such that even during times of economic contraction, the City is able to meet its debt obligations without significant tax or fee increases or service reductions.

ACTION. Motion by Vice Chairman Olsen seconded by Councilmember Daines to approve Resolution 15-39 as presented. Motion carried unanimously.

PUBLIC HEARING - Budget Adjustment FY 2015-2016 appropriating: \$7,509 for bullet proof vest purchases; \$10,000 for the purchase of a police vehicle from the transfer of a police vehicle to the Communication Center Fund; \$10,000 for a grant Community Development was awarded. These funds will be used for installing signs along the City's trail and bike systems; \$145,000 for a grant the Parks & Recreation Department was awarded for this fiscal year. These funds will be used to support After School Programs in the Logan City School District; \$7,148 funds for a grant that was awarded to the Justice Court from the State of Utah. These funds will be used to purchase equipment for the Justice Court – Resolution 15-49

At the September 1, 2015 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

Chairman Simmonds opened the meeting to a public hearing.

There were no comments and Chairman Simmonds closed the public hearing.

ACTION. Motion by Councilmember Daines seconded by Councilmember Ward to approve Resolution 15-49 as presented. Motion carried unanimously.

234 **Consideration of a proposed Notice of Intent for 350 South Curb and Gutter**
235 **Assessment Area – Resolution 15-23**
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237 Public Works Director Mark Nielsen addressed the Council and said the proposed
238 Assessment Area was originally presented to the Council on May 19, 2015 and again on
239 July 7, 2015 where a public hearing was also held. The general description of the
240 Assessment Area includes all properties located on the frontage of 350 South between the
241 addresses of 1203 West to 1337 West. The improvements proposed will include the
242 following:

- 243 • Install curb, gutter, and approaches along 350 South between 1200 West and 1337
244 West.
- 245 • Install curb, gutter, and approaches where applicable along the West side of 1200
246 West for the corner parcels.
- 247 • Install storm drainage as needed to manage storm water runoff in the intersection
248 of 1200 West and 350 South.
- 249 • Improve existing intersection corners to meet ADA requirements.
- 250 • Restore areas that are disturbed behind the curb and gutter.

251
252 The City proposed to levy an assessment on benefitted property within the Assessment
253 Area to pay some of the costs of the improvements according to the estimated benefits to
254 the property from the improvements. The estimated costs for the project have been
255 estimated by a project engineer and are based on recent prices of construction in Logan.
256 The estimated total costs for the project are \$120,708 and a portion will be paid by an
257 assessment to be levied against the properties abutting upon or adjacent to the roadway
258 area which will be benefitted by the improvements. The City will pay 50% of the
259 estimated total costs for the project. The estimated cost of \$37.50 per foot of frontage of
260 the real property adjacent to said improvements is the basis of assessment for each parcel
261 and is according to the estimated benefits to the property from the improvements.
262

263 The assessment may be paid by the abutting property owners in five equal annual
264 installments. If after five years a balance still remains to be paid, an annual interest rate of
265 1.5% will be charged until the assessment is paid in full.
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267 A time period of 60 days has been allowed for property owners to submit a protest of the
268 proposed Assessment Area in writing to City Recorder Teresa Harris before 5:00 p.m. on
269 September 8, 2015. The necessary number of protests must be 40% of the linear frontage
270 of all property owners to be assessed. No protests were received.
271

272 Public Works Director Mark Nielsen reminded the Council that resident Eldon Petersen
273 addressed the Council at the July Council meeting regarding his request that the City pay
274 60% and the residents pay 40%. Mr. Nielsen feels the assessment should be a 50/50 split
275 because there are many other costs that aren't included in the assessment.
276

277 Councilmember Daines referred to Paragraph 4. of the resolution which states, that a
278 public hearing "will" be held and the public hearing was already held on July 7, 2015 and
279 she suggested that be changed, as well as the statement that the hearing was held to hear
280 public protests.

Logan City Attorney Kymber Housley stated that with the amendments to the resolution by Councilmember Daines, he recommended that the Council continue approval until the resolution can be updated with the correct wording.

ACTION. Motion by Councilmember Daines seconded by Councilmember Ward to continue Resolution 15-23 as presented. Motion carried unanimously.

PUBLIC HEARING - Code Amendment – Consideration of a proposed amendment to the Land Development Code Sections 17.15 & 17.19 to adjust the minimum side yard setback in the Mixed Residential (MR), Campus Residential (CR), Commercial (COM), Commercial Services (CS), Industrial Park (IP) and Airport (AP) zones to allow for common wall construction – Ordinance 15-15

At the September 1, 2015 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment to Sections 17.15.080 (MR-9), 17.15.120 (CR), 17.19.070 (COM), 17.19.090 (CC), 17.19.110 (CS), 17.19.120 (I), and 17.19.130 (AP) modify the side setbacks to provide for common walls (walls shared between buildings) and which would typically have a zero setback associated with them. The proposed modification to the existing language distinguishes between common wall construction with a zero setback versus typical construction utilizing regular side yards without a common wall. The proposed changes do not authorize zero setbacks without common wall construction. The amendment is a response to the recent Design Review permit the Planning Commission reviewed for a medical compels off of 1400 North. The owner is in the process of subdividing the property and building, but us unable to complete the plat until the Code is changed to permit a zero setback with a common wall.

Staff recommended that the Planning Commission recommend approval to the Municipal Council for the proposed amendments to the Land Development Code.

On August 13, 2015 the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code Sections 17.15 and 17.19.

Chairman Simmonds opened the meeting to a public hearing.

There were no further comments and Chairman Simmonds closed the public hearing.

ACTION. Motion by Councilmember Daines seconded by Councilmember Ward to adopt Ordinance 15-15 as presented. Motion carried unanimously.

PUBLIC HEARING - Code Amendment – Consideration of a proposed amendment to the Land Development Code Section 17.40 to clarify temporary signs – Ordinance 15-16

At the September 1, 2015 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment to Section 17.40 (Signs) of the Land Development Code to include Section 17.40.120 Banners. The

proposed amendment to Banner Signs includes a provision to permit banners flags (also called sails, feathers, teardrops) and includes some clean-up language. Section 17.40.140 Prohibited Signs. The proposed amendment under subsection 17.40.140.S clarifies that “balloons” are not a prohibited signs or item under the Sign Code. He said the banner signs are becoming more common and we have had a number of requests to allow them. We have also had businesses request that we clarify whether balloons are permitted versus prohibited as a number of businesses use balloons during promotional events.

Staff recommended that the Planning Commission recommend approval to the Municipal Council for the proposed amendments.

On August 13, 2015, the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code Chapter 17.40 (Signs) to modify temporary sign regulations and “clean-up” other code language.

Mr. DeSimone added that he emailed the Council this afternoon with a photo of what the feathering banners look like.

Chairman Simmonds opened the meeting to a public hearing.

There were no comments and Chairman Simmonds closed the public hearing.

ACTION. Motion by Councilmember Ward seconded by Councilmember Needham to **adopt Ordinance 15-16** as presented. Motion carried 4-1 (Daines voted nay).

PUBLIC HEARING - Zone Change – Consideration of a proposed zone change. Don Barringer, authorized agent/owner requests a zone change of 3.46 acres (a portion of Phase IV) from MR-12 to MR-20 located at 1530 North 500 West, Bridgerland Meadows – Ordinance 15-17

At the September 1, 2015 Council meeting, Planner Russ Holley addressed the Council regarding a proposed rezone of a 3.4 acre portion of Phase 4 of the previously permitted Bridgerland Meadows multi-family home project from MR-12 to MR-20. The area is approximately the western half of Phase 4 directly adjacent to 500 West and 1530 North Street. Phase 1 was approved in 2004 under the MFM zoning classification, with subsequent Phases 2-4 being approved in 2006. The total project was approved with 286 townhome style dwelling units, a clubhouse and storage buildings. Phase 1 has 74 units on 7.29 acres, Phase 2 has 43 units on 5.54 acres, Phase 3 has 93 units on 7.62 acres and Phase 4 has 76 units on 4.88 acres. Density was approved on an overall gross project basis, not phase by phase. In October 2011 the proponent applied to amend Phase 3 so that the last two buildings in that phase would have 3 additional units. The 3 additional units were taken from Phase 4, so that the overall density would not change. The areas of the overall project yet to be constructed are the storage buildings in Phase 2 and the remaining approximate 3.46 acres within Phase 4.

Mr. Holley continued and said after numerous public hearings, neighborhood meetings and workshops over the past several years in the Bridger Neighborhood, it has become

375 increasing evident by both local neighborhood residents, the local school board and
376 elected officials, that this areas already has enough density and a disproportionate amount
377 of multi-family projects as compared to the other neighborhoods within the City. The
378 applicant willingly proposed and was approved to take 3 units from Phase 4 in 2011 to
379 build two new 6-plexes instead of the originally approve 4-plex and 5-plex. The applicant
380 was never given any guarantee or entitlement to somehow re-gain these 3 units later on.

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382 Staff recommended that the Planning Commission recommend denial to the Municipal
383 Council for the proposed rezone.

384
385 On August 13, 2015, the Planning Commission voted 5-1 (Commissioner Croshaw voted
386 nay of the denial) on a recommendation for denial to the Municipal Council to rezone 3.4
387 acres located in Phase 4 of Bridgerland Meadows.

388
389 Chairman Simmonds opened the meeting to a public hearing.

390
391 Property owner and developer Don Barringer addressed the Council and said he is not
392 asking the City to rezone the remaining undeveloped parcel simply to increase density for
393 the sake of getting more units on the parcel. He is asking the City to honor the agreement
394 between the Planning Department and Bridgerland Meadow owners that previously
395 allowed Density Bonus provisions which are no longer available. He simply would not
396 have built the smaller units without the assurance that they could add units in Phase 4. It
397 would not have made economic sense to do so. His request is to allow 6 smaller units on
398 lot 44 and 47 in place of the larger 4-plex units that were originally planned. The 6-plex
399 design leaves more open space when completed than the originally platted 4-plex design.
400 Total additional units if this request is approved would be 7, 3 already built in Phase 3
401 and 4 additional smaller units in Phase 4 for a total in the development of 293. In the
402 event that Council feels it cannot grant the rezone, he asked that he be allowed to at least
403 complete Phase 4 as originally planned and approved in 2005, which consists of 76
404 townhome lots. These lots already have utilities to them, allowing the project to be built
405 as planned. With this compromise, he will finish the project with 289 units, or 3 above
406 the original approval but Phase 4 would remain intact. Without a rezone he will have to
407 take the 3 units out of Phase 4 and will also need to remove the infrastructure and change
408 the layout of the project that was originally approve. He would be willing to sign a deed
409 restriction if necessary. He thanked the Council and feels that he has been heard
410 regarding the rezone.

411
412 Chris Karford with Landmark Homes addressed the Council and said this project has
413 been built out under at least three different Land Development Codes and is currently
414 zoned MR-12.

415
416 There were no further comments and Chairman Simmonds closed the public hearing.

417
418 Mr. Holley stated the Planning Commission voted 5-1 with one voting yes, which was
419 Commissioner Croshaw. They received three public comments and all three were not in
420 favor of the zone change. The vote was made based on whether or not to rezone from
421 MR-12 to MR-20.

Mr. Housley clarified Mr. Barringer is still approved for the 286 units and what he is asking for now is 3 additional units. The zoning was amended in 2011 and Mr. Barringer took 3 units from Phase 4 at that time and now he cannot get those 3 units back. The total is the same but Phase 4 is 3 units short.

Councilmember Daines said there was a presumption that Mr. Barringer would receive a density bonus which is hard to obtain. She is not convinced Mr. Barringer would have qualified for a density bonus had it been pursued at the time.

Vice Chairman Olsen referred to comments made from Logan resident Dean Quayle in opposition to the proposed rezone. The Council also received a letter in opposition from the Logan City School District and School Board. He said because of the townhome notion and the representation that the developer would be agreeable to limit the request to 3 more units; he does not have a lot of concern about the concept. He is however concerned about comments made by Dean Quayle and the School District and feels their concerns are valid.

Mr. Housley said he preferred not doing a deed restriction and a better solution would be zoning that fits this area. The developer would need to voluntarily agree to a deed restriction, the Council cannot require it be done.

Councilmember Daines said she preferred not to change the zoning in this particular area.

Councilmember Needham said the two opposing points of this area are parking and density. He feels the density is there and 3 more units won't make a difference. He does not want to see the developer to lose any money if the rezone is not approved. He likes that the units will have a double car garage. He has seen the development and feels this is a good project.

Councilmember Ward said the Council cannot consider the 3 extra units without changing the zoning and we don't have anything in place that it will only be 3 additional units. He is also mindful to the feelings of opposition from the residents living in this area.

Chairman Olsen suggested the Council table a decision on the rezone until the developer signs a deed restriction and it's in place.

ACTION. Motion by Councilmember Daines seconded by Councilmember Ward to deny Ordinance 15-17 as presented based on the findings in the Staff report. Motion carried 3-2 (Olsen and Needham voted to approve).

PUBLIC HEARING - Zone Change – Consideration of a proposed zone change. Joshua Wiscombe/Jensen, Raymond & Judy Z. Trust, authorized agent/owner, requests a zone change from Resource Conservation (RC) to Mixed Use (MU) on 1.10 acres located at 2250 South Highway 89-91, Whispering Oaks – Ordinance 17-18

At the September 1, 2015 Council meeting, Planner Amber Reeder addressed the Council regarding the proposed rezone. A concept called Whispering Oaks is being considered by the proponent for development of the property. It is a mixed use project that includes a commercial office for the sales and management of the “tiny house” buildings and a development of approximately 16 tiny homes in a cluster development. The homes are approximately 500 SF and they would like to utilize existing trees and green space on the site. The site is adjacent to Nibley City on its southern boundary. The CampSaver store and warehouse is developed on the adjacent property which Nibley has designated as a Commercial Zone.

The site is not currently on Logan City water, sewer, or power services. The existing residence has a septic and well system. New development would have to be on centralized services. The nearest Logan City water service is at the Spring Creek Subdivision at 1450 West 2200 South. There is a sewer line that runs on 2200 South to the northwest of this property. Logan City Power extends to the corner of 2200 South and Highway 89/91/ Nibley City has services to the South, with lines approximately 400’ away. The site is not readily adjacent to all needed services to be suitable for development.

Staff is recommended the Planning Commission recommend denial of the rezone request. The site is surrounded to the North, East, and West by Logan City and land that is similarly used and designated as a rural residential use. The area is indicated on the General Plan and the South Corridor Plan for rural residential use and the Mixed Use designation is not consistent with those plans. It is unique that it is adjacent to Nibley City and a commercial development to the South. The potential project includes small detached residences at just over 16 units per acre.

On August 13, 2015, the Planning Commission recommended that the Municipal Council deny (6-0) a request to rezone the property at 2250 South Highway 89/91 from Resource Conservation (RC) to the Mixed Use (MU) Zone.

Chairman Simmonds opened the meeting to a public hearing.

BJ Smith owner of Canyon Landscaping addressed the Council regarding the proposed zone change. He currently has an offer on the property that is being discussed as a proposed rezone. He will be submitting an application to Community Development to go before the Planning Commission and proposed that his business be located on this property. He is still trying to determine what Land Use Code his business would fall under. He feels that Canyon Landscaping would be a good fit for Logan City and this particular property.

Chairman Simmonds said she was in attendance at the Planning Commission meeting where this project was proposed and the Commission is concerned because there are no City utilities to the property.

Mr. Smith responded that his business is landscaping and insulation services which are off sight and they do not have regular customers that come to their office location.

Mr. Housley stated the original applicant first has to withdraw his request for a rezone before anything further can be done with this property.

There were no further comments and Chairman Simmonds closed the public hearing.

ACTION. Motion by Vice Chairman Olsen seconded by Councilmember Daines to **deny Ordinance 15-18** as presented. Motion carried unanimously

WORKSHOP ITEMS:

Consideration of a proposed resolution adopting the Community Development Block Grant (CDBG) Annual Action Plan (AAP) Program Year 2014 Amendment 1 (moving the 500 North Pedestrian Lighting Project to 400 North) for the City of Logan – Resolution 15-50 –Aaron Smith, CDBG Coordinator

Aaron Smith, Logan City CDBG Coordinator addressed the Council regarding the proposed resolution. The amendment is the 400 North Pedestrian Lighting Plan in the Adams Neighborhood. This project was originally planned for 500 North but is being moved to 400 North to support the CDBG funded 400 North Corridor Plan that was completed in 2015. This one block shift does not affect the Low-Moderate Income status of the neighborhood that benefits from the project. The 400 North Corridor is an important transportation corridor that has been designed primarily for automobiles. The long term effect of the automobile primarily has been to decrease the livability of the area. Pedestrian lighting improvements along the corridor will help to increase the livability of the area by improving the safety and the aesthetics in the neighborhood. The proposed lights are doubled head coach lights (similar to what has been installed on South Main. The total projected budget is \$448,000 for 50 light poles. CDBG would contribute \$200,000, Logan Light & Power Capital Budget \$102,400 and Logan Light & Power Renewable Fund would contribute \$145,600. The poles can accommodate banners that can be hung.

Councilmember Daines asked if we decide to implement the 400 North Plan and put in medians, adjust park strips, etc, will we need to move the light poles.

Mr. DeSimone responded that he feels we should move forward with the lighting improvements now and then down the road when other improvements are made we can make changes as needed. He does not feel future improvements will impact the lights significantly.

Steve Crosby, Logan City Light & Power Department addressed the Council and said the current poles are deteriorating and some of the new lighting can be installed further back from the sidewalk so it should not impact future improvements. Closer to Main Street there might be up to 5 poles that would need to be moved if future improvements were to occur.

Chairman Simmonds suggested poles be installed in the area of 200 East to 700 East where they can be placed like they should be and later the area of 200 East to Main Street.

Vice Chairman Olsen asked about light pollution and asked will the proposed lights create more or less light pollution. He also asked if the Adams Neighborhood has given their input regarding the proposed lighting project.

Mr. Crosby responded the cobra lights that have been installed in these locations are flat instead of cone shaped and the flat lights shine downward. The decorative lights do not.

Councilmember Daines said she feels this is a really good project and there are time constraints in regards to the use of the funds.

Mr. DeSimone said the Adams Neighborhood is aware of the 400 North Corridor project and the funding available for the decorative lighting. They have not had a formal discussion with the Adams Neighborhood in regards to the project shifting from 500 North to 400 North but there are some who are aware of this change.

Vice Chairman Olsen said he is concerned that the 500 North lighting project is being abandoned because there isn't support from Logan Light & Power. He feels they need to coordinate on these types of projects and they should not have veto on a project if it has been approved in their budget.

Mr. Smith said he doesn't believe the coordination happened with the application process through CDBG.

Chairman Simmonds asked when the 500 North Lighting Plan was approved, did the request come from Community Development or the neighborhood.

Mr. DeSimone responded the request came from Community Development. It was determined that it's not as simple as putting a pole in the roadway. There are a lot of trees along 500 North and the decorative lights would not be effective in this area. The cobra lights would be better.

Vice Chairman Olsen said this is a good project but the Council agreed to the lights on 500 North and now this is changing.

Mr. DeSimone responded the 500 North Lighting project is not being abandoned but it will be done differently than what was originally proposed.

Vice Chairman Olsen asked are the lights at 600 South Main Street similar to what is being proposed and if so, he feels the lumen should be compared to what is being proposed on 400 North.

Mr. DeSimone said the lighting has to meet the minimum standards set by UDOT.

Councilmember Ward said he feels improving 400 North is a higher priority than 500 North and it will tie USU into the downtown area.

Vice Chairman Olsen said at the next Council meeting he would like more information on the light intensity and a comparison of the cobra lighting to what is being proposed.

The proposed resolution will be a workshop item and public hearing at the October 6, 2015 Council meeting.

Budget Adjustment FY 2015-2016 appropriating: \$71,745 for the After School Quality Improvement Grant that was awarded to Parks & Recreation. These funds will be used to create, expand, and support After School Programs – Resolution 15-54 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

The proposed resolution will be a workshop item and public hearing at the October 6, 2015 Council meeting.

Logan City After School Coordinator Tara Alder addressed the Council and invited them to attend the “Lights On” event sponsored by the Alliance for Youth, celebrating the importance of After School Programs on Thursday, November 19, 2015 from 5:30 p.m. – 6:30 p.m. at the USU Morgan Theater. The purpose of the event is to celebrate keeping lights on after regular school hours to extend learning opportunities.

Code Amendment – Consideration of a proposed amendment to the Land Development Code Section 17.31.050 Flood Plains (Critical Lands Overlay) – Ordinance 15-19 – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed ordinance to amend Section 17.31 (Critical Lands Overlay) of the Land Development Code. The purpose of the additional language is to ensure Logan City’s floodplain development and construction standards are consistent with Federal standards for new construction in floodplains.

Staff recommended that the Planning Commission recommend approval to the Municipal Council for the proposed amendment.

On August 13, 2015, the Planning Commission recommended 5-0 that the Municipal Council approve a request to amend the Land Development Code Section 17.31.

The proposed ordinance will be a workshop item and public hearing at the October 6, 2015 Council meeting.

655 **Consideration of a proposed resolution establishing the Logan City Bicycle and**
656 **Pedestrian Master Plan – Resolution 15-52 – Russ Holley, Planner**
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658 Planner Russ Holley addressed the Council regarding the proposed resolution
659 establishing the Logan City Bicycle and Pedestrian Master Plan. He stated that the
660 physical condition of On-Street and Off-Street Bicycle and Pedestrian Infrastructure is of
661 significant importance to the vitality of the City of Logan and Cache Valley. The Bicycle
662 and Pedestrian Master Plan recognized the importance of these activities from both a
663 residential and commercial standpoint. The Bicycle and Pedestrian Master Plan identified
664 important transportation and recreational issues and outlines recommended
665 implementation strategies and is consistent with, and actively promotes the goals in the
666 Logan General Plan. A lengthy public process was utilized, including a steering
667 committee consisting of local residents, elected and appointed City officials, and
668 community leaders, a series of open house meetings, public hearings and survey data
669 collection to develop and prepare this Bicycle and Pedestrian Master Plan in order to
670 ensure Logan residents had a chance to actively participate.

671
672 The proposed resolution will be a workshop item and public hearing at the October 6,
673 2015 Council meeting.
674

675 **Consideration of a proposed resolution requesting the Recertification of the Logan**
676 **Municipal Justice Court – Resolution 15-53 – Kymber Housley, City Attorney**
677

678 City Attorney Kymber Housley addressed the Council regarding a proposed resolution
679 requesting the Recertification of the Logan Municipal Justice Court. The Utah Code
680 requires that Justice Courts be recertified at the end of each four-year term. The term of
681 the present Court will expire in February 2016. He stated the Court must comply with all
682 requirements imposed by the Utah State Legislature. In addition to the statutory
683 requirements, Logan's Class 1 Court must meet additional requirements imposed by the
684 Utah Judicial Council. Based on the foregoing, the cost effectiveness and efficient
685 manner in which the Court is operated, it is his opinion as City Attorney that the
686 continued operation of the Court is feasible.

687
688 The proposed resolution will be a workshop item and public hearing at the October 6,
689 2015 Council meeting
690

691 **OTHER CONSIDERATIONS:**
692

693 There were no other considerations from the Council were discussed.
694

695 **ADJOURNED.** There being no further business to come before the council, the meeting
696 of the Logan Municipal Council adjourned at 8:00 p.m.
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700

701 Teresa Harris, City Recorder